



## State Water Plan Update Potomac Water Resources Regional Committee Meeting

**April 13, 2023**

1:00 p.m. - 3:00 p.m.

Virtual Microsoft Teams Meeting

### **Committee Members in Attendance:**

Barry Best	Kevin Moore
Pat Bowling	Brent Ramsey
Adam McClain	

### **Committee Members Not in Attendance:**

Charles Bennett	Heidi Moltz
Andre Blosser	Pat Naugle
Mark Guise	Dr. Sarah Principato
Tom Hart	Coleen Reamer
Russell McLucas	

### **Others in Attendance:**

James Horton – DEP	Bob Whitmore - Strategic Consulting Partners
Susan Weaver - DEP	

### **Visitors:**

None

### **Welcome**

James Horton, DEP, welcomed everyone to the meeting, explained the meeting was being recorded, and provided helpful hints on the use of technology.

Committee Vice-Chair Adam McClain welcomed committee members to the meeting.

### **Public Comment**

Vice-Chair McClain opened the meeting for public comment. An opportunity to express comments verbally or in the chat box was offered. There was no public comment.

### **Election of Chair and Vic-Chair Positions**

Regional committees are to annually elect a Chair and Vice-Chair for the committee. A quorum of members was not present for the meeting so an election could not occur.

Previous Vice-Chair Adam McClain volunteered to act as chair for the current meeting and this was accepted by the members present.

### **Meeting Summary**

The meeting summary of the October 13, 2022, meeting was reviewed by the committee members and no changes to the summary were offered.

### **Bylaws**

James (DEP staff) reviewed Article XII of the Potomac Committee Bylaws. The current bylaws state the following about amending the bylaws: “the By-Laws may be amended at any meeting of the Regional Committee by two-thirds vote of the full Regional Committee membership (15 voting members).” James said internal review of the bylaws by legal is asking this article to be amended to state: “the By-Laws may be amended at any meeting of the Regional Committee by a simple majority vote of the full Regional Committee membership (11 voting members).” This change will align the bylaws with Act 220. The legal opinion is this is a change to comply with the Act and does not need to be voted on by the committee as bylaws change.

The committee discussed the proposed change and decided the change should be voted on by the committee and should be properly communicated to committee members as defined in the bylaws. Committee members suggested the bylaws should include both an email read and receipt and certified mail option. Discussion included that it is possible a member is not responding to email and may need the traditional mail option. A question was also asked if committee members could vote on agenda items, such as meeting summaries, by electronic voting if they are unable to attend a meeting. James will research this option. The bylaws will be reviewed again at the October meeting.

### **DEP Update**

James Horton, DEP, provided an overview presentation of the state water planning process and the direction forward.

- **Act 220** was passed as PA was exiting a drought in 2002. The act requires continual updates, water use reporting, identifying Critical Water Planning Areas (CWPAs), and voluntary water conservation.
- **The State Water Plan** Update of 2022 was formally completed early this year. The plan has over one hundred pages discussing Pennsylvania’s Water Resources. A Digital Water Atlas was also released. Act 220 requires a five-year update cycle for the state water plan and the 2027 cycle starts now.
- Act 220 mandated the establishment of regional committees based on watersheds. Regional committees are formed based on their location.
- **Regional committees** provide unique perspectives based on their regions. The role of the regional committee is to create a regional component of the plan. The structure includes a narrative with priorities, region’s uniqueness, climate change and stormwater recommendations. Between our April meeting and the meeting in October

DEP will be laying out a standard format for the regional plans which will be used by each region, and we would like to have your input on structure. **Please email us with your thoughts or examples of formats you think would be appropriate.**

- **The Statewide committee** is focused on statewide concerns, and the legislative and policy objectives of the plan. Their review of regional components is constrained to this purview: that no parts of the plan conflict with other parts of the plan or existing law or regulatory practice. Prior iteration, the Statewide committee commissioned workgroups that focused on specific areas of concern identified by the committee. Included in their products was a narrative as well as explicit recommendations which included legislative and budget requests. CARPs, regional components, and the entirety of the plan are brought before the statewide for approval before being shared with the secretary of DEP for their approval.
- **The DEP** supports the committees by providing a venue, scheduling meetings, and providing meeting summaries prepared by our facilitators. DEP has final approval on documents with the Secretary's signature. DEP provides drafting support and assists with editing. All documents must meet DEP internal review, all edits are shared with the committee to promote transparency. DEP assists with education and outreach through speaking engagements, press releases, publicizing meetings via our website. The most important stakeholders in this process are Pennsylvanians at large, the people we are making this plan for.
- Mandated by Act 220 of 2002, a CARP is like a hyper focused water plan based on a particular watershed which is at risk of water use outstripping water availability. The work to identify which areas may require such a plan the Act required that Critical Water Planning Areas be identified. Four CWPAs were identified using a screening tool created by DEP and USGS. This tool split PA up into fifteen square mile watersheds and tested water use against 50% of Q7-10 stream flows to determine areas that were at risk. There were three Critical Area Resource Plans or CARPs developed during the 2009 plan. Marsh Creek and Rock Creek were combined due to being geographically near one another and closely related hydrologically. We are trying to complete them during this cycle with an aim to complete Back Creek CARP this year and the others directly following it.
- The CARP process is required by Act 220 and has some explicit steps. Each CARP is required to have a public hearing along with a planning agency review. The Three CARPs are at distinct phases, and we are assessing their progress currently. It will be down to the DEP and the regional committees to discuss where each of those CARPs land and what work will need to be done on them. In addition to this process a Critical Area Advisory Committee has been established for each CARP, the advisory committee advises DEP and the regional committee and submits recommendations to the regional committee. It is the regional committee who votes on the plan.
- **Five-year plan:**
  - **2023** – This year is all about getting the committees, particularly those that struggled achieving quorum, back to full strength. This is coupled with outreach to targeted stakeholders which will help prepare us for the next phase of the

Plan. Additionally, we are looking to review the 2022 State Water Plan, particularly those elements that were commented on by the public to decide what elements we can pursue. Over this time, we are also going to work as hard as we can to bring the Back Creek CARP to fruition. I anticipate no more than two meetings this year unless more are needed to manage CARPs.

- **2024** – Building on the work of the prior year and in accordance with the Path Forward from the 2022 Update work begins on looking at each actionable element of the state water plan and establishing who is responsible for what item and what metrics could be used to measure success for each actionable element. This will include working through logic models for each of the regional committees as well as the topic specific workgroups. I anticipate only two meetings this year as well.
- **2025** – Workgroup formation will take place at the end of 2024 having identified key issues that will require further development in the upcoming plan as well as new areas of focus. Workgroups will be established and begin, with DEP, updating 2022 Plan documents, researching, and assessing the previous plan. This may also include drafting whole new documents as needed. This will require some more work from the committees, I am anticipating three meetings this year for each committee.
- **2026** – This year will involve completing the regional components of the document and holding hearings to discuss them. We will be completing work on each of the workgroup contributions and compiling them toward the end of the year in preparation for the thirty-day public review period to begin at the end of the year. During this year Statewide committee will have four meetings and the regional committees will require three, one of which will be a public hearing.
- **2027** – With regional committee work completed and fresh feedback from the public we will revisit plan elements and consider any final edits to the plan before formally signing and completing it by the end of the year. In the final year, the statewide will have 2-3 meetings and the regions will have only one a piece.
- **Membership** is critical. We need to fill committees with new membership. Regional members serve for three-year terms. Statewide members serve four-year terms. When a term concludes members hold their spot until a replacement is found meaning there is no need to formally reapply for membership though if you would like to resubmit, you may. Skill set is not the only consideration. They must work or live within their respective region if applying for regional membership.

### **Recruitment for Committee Members**

The Potomac Regional Committee currently has nine openings.

- County Conservation District Director
- County Conservation District Director, Planning Commission Director, or County Government Representative
- Horticulture

- Agriculture Production
- Public Wastewater
- Industrial and Commercial Enterprises, or Energy Development and Production
- Environment & Conservation
- Engineer, Hydrologist, Geologist, Planner, Lawyer, or Economist
- Local Government

**Items in the chat**

None

**Next Steps**

It was recommended to continue virtual meetings for the near future.

Next meeting – October 12, 2023

The meeting was adjourned at 1:43 p.m.

DRAFT